

REMARKS

Claims 1-15 are currently pending in the present application. Applicant thanks the Examiner for indicating that claims 2, 4-7, and 11-15 recite allowable subject matter. However, Applicant respectfully submits that claims 1, 3, and 8-10 likewise recite patentable subject matter. In view of the following remarks, Applicant requests the reconsideration of claims 1, 3, and 8-10.

Claims 1, 3, and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Beeman et al. (U.S. Patent No. 4,094,492). The Examiner takes the position that Beeman teaches or suggests all the features recited in claims 1, 3, and 8-10. Applicant respectfully disagrees.

Claim 1 recites in part a regulating vacuum valve comprising a seal connection piece which is supported so as to be displaceable in the through-channel and is sealed relative to the valve housing. In order to provide a sealed state of the valve the first valve plate is movable into a position in which it completely covers the through channel and in which the seal connection piece is adjustable to the first valve plate and is accordingly sealed relative to the first valve plate by at least one sealing ring.

Beeman is directed to a variable orifice forming device that includes an iris shutter type arrangement for variable controlling flow of a medium. The shutter components include a mounting ring 10, an orifice defining drive ring 11, a drive gear 12, and a plurality of members or leaves 13. The leaves or members 13, each consists of a curved body section 26 having a pivot pin 27 at one end on one side and an offset pin 28 at the other end on the opposite side. Figure 2 also illustrates the closed position of the device. As shown, the closed position provides a “hole” in the center of the device.

However, Beeman fails to teach or suggest a sealed state of the valve. As illustrated in Figure 2 of Beeman, during a closed state of the leaves 13, an opening exists in the middle area of the through-channel. Also, tight contact between the leaves 13 against one another and their mounting in the housing is not possible since the leaves 13 are not movable into a position in which they cover the through-channel completely. The leaves are not movable into a position to cover the through hole since the surface area over which these plates extend

is smaller in each instance than the diameter of the through-channel. As a result, Beeman fails to teach or suggest a first valve plate being movable into a position in which it completely covers the through-channel and in which the seal connection piece is adjustable to the first valve plate and is accordingly sealed relative to the first valve plate by at least one sealing ring.

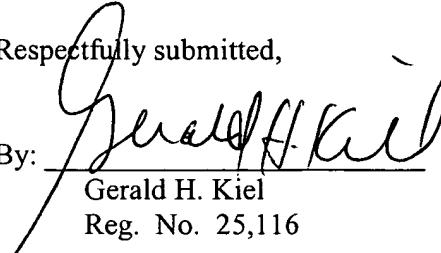
The Examiner indicates that Beeman teaches a seal connection piece with one of the leaves 13. Applicants respectfully disagree. The leaves 13 are not displaceably mounted in the through-channel so as to be sealed relative to the housing. The seal connection piece, as recited in claim 1, must be adjustable against the first valve plate and sealed relative to the valve plate by at least one sealing ring. As a result, the first valve plate completely covers the through-channel. The fact that the seal connection piece is adjusted against the first valve plate means that a state existed previously in which the seal connection piece is lifted from the valve plate. A seal connection piece of this kind which is displaceable by a valve plate between a lifted position and a position contacting the valve plate is not taught nor suggested by the applied reference. Thus, Beeman fails to teach or suggest a first valve plate being movable into a position in which it completely covers the through-channel and in which the seal connection piece is adjustable to the first valve plate and is accordingly sealed relative to the first valve plate by at least one sealing ring. Therefore, Applicant requests the withdrawal of the rejection of claim 1.

Claims 3 and 8-10 are dependent upon independent claim 1, therefore, it is respectfully submitted that for at least the reasons mentioned above claims 3 and 8-10 recite subject matter that is neither taught nor suggested by the applied reference. Accordingly, Applicants request the withdrawal of the rejection of claims 3 and 8-10.

Based upon the above amendments and remarks, Applicant respectfully requests the allowance of claims 9-16. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,

By:


Gerald H. Kiel
Reg. No. 25,116

March 15, 2005
REED SMITH LLP
599 Lexington Avenue
New York, NY 10022-7650
GHK:BKS